

**REMARKS**

The Office Action mailed on June 25, 2003 has been reviewed and the comments of the Patent and Trademark Office have been considered. Prior to this paper, claims 1-6 and 9 were pending in the present application. By this paper, Applicant cancels claim 2 without prejudice or disclaimer. Therefore, claims 1, 3-6 and 9 are now pending in the present application.

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

**Rejections Under 35 U.S.C. § 112, Second Paragraph**

In the Office Action, claim 6 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite. As seen above, claim 6 has been amended, and Applicants respectfully request reconsideration.

As claim 6 was not rejected over the prior art, Applicants assume that claim 6 is now in condition for allowance.

**Rejections Under 35 U.S.C. §102**

Claims 1-3, and 5 stand rejected under 35 U.S.C. §102(b) as being anticipated by Saloum (USP 30,97,867). Claim 9, an independent claim pending at the time the Office Action was issued, stands rejected under 35 U.S.C. §102(b) as being anticipated by Mullins (USP 50,92,364). In response, Applicants have amended claim 1 to incorporate the recitations of claim 2, as seen above (thus effectively traversing the rejection of claim 2), and traverse the rejection of claim 9, submitting that above claims are allowable for the reasons that follow.

Applicants rely on MPEP §2131, entitled "Anticipation – Application of 35 U.S.C. 102(a), (b), and (e)," which states that a "claim is anticipated only if each and every element

as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” It is respectfully submitted that Saloum does not describe each and every element of Claims 1, 3 and 5, and that Mullins does not describe each and every element of Claim 9.

Claim 1 recites a socket for a dialyzer that connects a plug and a dialysate tube for supplying or discharging a dialysate. The socket utilizes a locking ball which is temporarily released by a holder moving back and forth in order for the socket to be capable of being attached or removed from the plug. In one embodiment of the invention, cleaning of the socket may be aided by pressing a protrusion of the holder to allow the locking balls to move, thus canceling a constraint state of the locking ball.

In contrast, Saloum does not teach such an apparatus. Assuming *arguendo* that Saloum teaches a socket comprising a socket main body with a coupling part, a cylindrical part, an outer sleeve fitted onto the coupling part of the socket main body and a spring-biased holder, it does not teach a front end portion of the holder which constitutes a protrusion such that simply pressing the protrusion of the holder to retract the holder will thus cancel a constraint state of the locking ball. Indeed, Saloum does not specifically teach pressing a protrusion on the holder to retract the holder. The Office Action, in rejecting claim 2, does not point to where in Saloum such a teaching can be found, because Saloum does not teach canceling the constraint state of the locking ball by the pressing of a protrusion of the holder. As can be clearly seen in Fig. 1 of Saloum, outer sleeve 71 holds locking ball 68 in the path of movement of the primary locking sleeve 62, thus preventing the primary locking sleeve from moving when subjected to a backwards force (i.e., in the direction of compression of spring 65). Therefore, Saloum does not teach each and every element of amended claim 1. As claims 3 and 5 depend from Claim 1, these claims are likewise allowable.

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Claim 9 recites an apparatus for cleaning a socket for a dialyzer using a cleaning adapter. According to one embodiment of the invention, the cleaning adapter has socket accommodation rooms for accommodating a coupling part of a socket on both sides of a block and a small diameter passes for connecting the accommodation rooms. By utilizing a

block, fluid pressure of the cleaning solution is dramatically increased, allowing the entire surface of the locking ball to be cleaned.

In contrast, Mullins does not teach such an apparatus. Mullins teaches a coupling having a plug and socket for a coupling engagement, as can be seen in Figs. 1 and 2. Mullins only teaches the coupling of a socket and plug. Indeed, Mullins does not specifically teach a cleaning adapter. Assuming *arguendo* that Mullins teaches a cylindrical adapter main body and socket accommodation rooms, there is no block disclosed in the invention. In Applicants invention, the block is used to build up the pressure of the cleaning solution to allow thorough cleaning of the locking ball. Mullins discloses no such block for increasing the pressure of a cleaning solution and, therefore does not teach every element of the present invention. Claim 9 is thus allowable.

#### **Claim Rejections Under 35 U.S.C. §103(a)**

In the Office Action, Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Saloum in view of Moberg (USP 4,546,956). Applicant respectfully traverses this rejection as to the claim, and submits that this claim is allowable for at least the following reason.

As noted above, the Saloum reference does not teach each and every element of independent claim 1. Moberg does not remedy the deficiencies of Saloum, and the Office Action does not allege the contrary. Thus, the third requirement of MPEP §2143 is not satisfied in the Office Action, since the cited references do not teach each and every element of the present invention. The present claim is therefore allowable.

In sum, claims 1, 3-5 are allowable for at least the reason that Saloum does not teach each and every element of the present invention. Claim 9 is allowable for at least the reason that Mullins does not teach each and every element of the present invention. Reconsideration of the claims is respectfully requested.

**Any Next Office Action Should Not Be A Final Office Action**

As noted above, claim 6 was not rejected in view of the prior art. Applicants presume that claim 6 is clear of the prior art, as MPEP §2143.03 states that if “a claim is subject to more than one interpretation, at least one of which would render the claim unpatentable over the prior art, the examiner should reject the claim as indefinite . . . and should reject the claim over the prior art based on the interpretation of the claim that renders the prior art applicable.” (MPEP §2143.03, second paragraph.)

If claim 6 is not allowed and is rejected in view of the prior art in any next office action, Applicants respectfully submit that any next office action should be a **non-final** office action, as this would be the first time that claim 6 was rejected in view of the prior art.

**Conclusion**

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Examiner Dunwoody is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date NOV 25, 2003

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